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MINISTRY OF COMMERCE AND INDUSTRY

ORDER

EXPORT TRADE CONTROL

New Delhi, the 7th September 1955

S.R.O. 1909.—In exercise of the powers conferred by Section 3 of the Imports and Exports (Control) Act, 1947 (XVIII of 1947), the Central Government hereby directs that the following further amendment shall be made in Exports (Control) Order, 1954 published with the Order of the Government of India in the Ministry of Commerce & Industry No. Export (1) dated the 10th May 1954, namely:—

In Schedule I to the said Order, under the heading "A. ANIMALS, FOOD, DRINK AND TOBACCO", after item 1 (iii) the following entry shall be inserted:—

"(iv) **Monkeys.**"

[No. Export(1)/AM(30).]

K. B. LALL, Jt. Secy.

PUBLIC NOTICE

SUBJECT:—Export of monkeys for medical research and production of medicinal preparations—Procedure for regulating.

S.R.O. 1909-A.—It has been decided to control the export of monkeys under the Imports and Exports (Control) Act, 1947, by Order No. Exports (1)/A.M. (30), dated the 7th September, 1955. Such exports will be allowed only for specified purposes through approved exporters under certain conditions including those intended to ensure that monkeys are treated humanely. The procedure for the grant of licences for export of monkeys will be as follows:—

1. Export allowed only by approved Exporters:

Export of monkeys will be allowed only by such exporters as may be approved by the Central Government in this behalf. A list of such "approved exporters" will be prepared and published by the Chief Controller of Imports & Exports, New Delhi, from time to time.

2. Procedure for inclusion in the list of "Approved Exporters"

Exporters desirous of being placed on the list of "Approved Exporters" mentioned in para.1 above, should apply immediately to the Chief Controller of Imports and Exports, New Delhi, giving the following information by the 30th September, 1955.

- I. (a) Name and address of the applicant.
- (b) Full particulars.
- II. Exports of monkeys since 1948, giving the following details separately for each calendar year:
 - (a) number of Rhesus monkeys exported;
 - (b) number of monkeys, other than Rhesus monkeys, exported;
 - (c) value of exports;
 - (d) names of countries to which exported;
 - (e) whether exports were made by sea or by air; giving separate figures in each case;
 - (f) name or names of carriers employed;
 - (g) end-use i.e. purpose for which required, if known;
 - (h) evidence, such as a certificate from a registered Veterinary Surgeon to the effect that the exporter maintains a compound in hygienic conditions and that satisfactory provision has been made by him for treating the animals, while in his custody, in a manner consistent with modern humane practices.

(Figures in respect of 1955 should cover exports from 1st January to 31st August, 1955).

III. I. V. C. Registration or Exemption Number (Exporters not in possession of such a number already are advised to obtain their I. V. C. Registration or Exemption Number immediately) in accordance with the procedure laid down in Public Notice No. 32-ITC(PN)/55 dated the 29th June, 1955.

NOTE: The mere fact that a person has applied in response to this Public Notice for being placed on the list of "Approved Exporters" will not entitle him to any claim for being treated as such for purposes of this Public Notice. Each case will be duly considered on merits.

3. Application for Grant of Export Licences:

Applications for export of rhesus monkeys should be submitted by approved exporters to the Chief Controller of Imports & Exports, New Delhi, in the prescribed form as per specimen form at Annexure 'A'.

Along with the application form, the exporter should furnish the following documents:

- (a) Treasury Chalan for an appropriate amount as application fee in accordance with Schedule III to the Exports (Control) Order, 1954 and Notification No. S.R.O. 794, dated the 21st October, 1950.
- (b) Documents showing a firm contract with an institution or institutions (consignees) in foreign countries recognised as carrying on medical research or producing medicinal preparations for which rhesus monkeys are required.
- (c) An irrevocable letter of credit.

List of recognised consignees, that is, institutions in foreign countries which are recognised to be carrying on medical research or production of medicinal preparations for which rhesus monkeys are required will be prepared and published by the Chief Controller of Imports and Exports, from time to time.

Applicants are requested to study the form carefully and furnish complete information on the various points mentioned therein. Failure to comply with the requirements or to submit the several documents required will render the application liable to summary rejection.

4. Conditions of Licence:

On receipt of an application as aforesaid from an approved exporter, the Chief Controller of Imports & Exports, New Delhi, will scrutinise it and on being satisfied that the exporter has complied with the provision contained in this Public Notice, may, within the ceiling fixed in this behalf, issue a licence subject to such conditions as he may deem fit, including the following:

- (i) the animals, while in the possession or custody of the exporter, will be given humane treatment, which includes proper protection from the

elements adequate supply of food and water, and proper handling during loading;

(ii) the licence is valid for export by air only;

(iii) export will be permitted subject to the production of a certificate from a Registered Veterinary Surgeon before the appropriate Customs Officer at the port of shipment that the monkeys intended for export are not sick, diseased, pregnant, injured or maimed.

5. The above procedure has been formulated keeping in view *inter alia* the need for conforming to minimum standards for according humane treatment to animals to be exported. Any departure from the procedure outlined above, or supply of false or incorrect information or breach of the undertakings furnished by the exporter or the carrier in this behalf, will render the exporter liable to penalties prescribed under the Import and Export Control Act, 1947, and to removal from the list of "Approved Exporters".

6. Procedure for export of monkeys for purposes other than medical research and production of medicinal preparations:

Applications for such export will be considered on merits of each case.

7. Interim Arrangements:

Until such time as the Chief Controller of Imports and Exports, New Delhi, is able to publish the list of "approved exporters" mentioned in paragraph 2 and the list of recognised consignees referred to in paragraph 3 and the above procedure is put into effect, applications for export of monkeys will continue to be considered as hitherto, on merits, by the Ministry of Commerce and Industry.

[No. 4-ETC(P.N.)/55.]

J. BYRNE,

Chief Controller of Imports & Exports.

Appendix 'A'

(Application for licence to export rhesus monkeys)

1. Name and address of the applicant.
2. (a) Full particulars of the applicant (here indicate whether the applicant is a public Coy., a Private Coy., a partnership or individual firm, and years of establishment. Except in the case of Public Limited Coy., name of the proprietors/partners/directors should be indicated).
(b) Whether the applicant is a member of any recognised Chamber of Commerce or Trade Association. If so, give particulars.
(c) Serial No. on the list of approved exporters published by the Chief Controller of Imports & Exports.
(d) Income-tax verification or Exemption registration No. (if this is not available, attach a certified copy of the Income-tax verification certificate).
3. Name and address of the consignee.
4. No. of Rhesus monkeys desired to be exported, with approximate date of shipment.
5. Ultimate destination to which export is desired and the currency in which payment to be obtained.
6. Specific purpose for which monkeys are required by the consignee (if required for medical research, the particular field of research for which they are required should be stated).

7. Name of the Carrier.

I declare that during the transit the animals will receive humane treatment, which will include proper protection from the elements, adequate supply of food and water and proper handling during transit. Non-perishable foodstuff ("mixed grains"—maize, gram, groundnuts, etc.) will be provided on the scale $\frac{1}{2}$ lb. per monkey per day, augmented with fresh vegetables. Animals will be accepted for transportation only if housed in containers of the specifications mentioned in the

declaration signed by the exporter. The containers will be placed in the vehicle so as to prevent cargo shifting in transit and allow ventilation for each cage. I shall be responsible for the proper loading and unloading of the animals and will not permit any throwing, dropping or unnecessary tripping of cages or any mishandling which might cause harm to or unnecessarily agitate the animals.

(Signature of the Carrier).

8. Undertaking by the Exporter.

I undertake that the animals, while in my possession or custody, will be given humane treatment which will include proper protection from the elements, adequate supply of food and water, and proper handling during loading. The animals will be housed in containers of wood or bamboo, so constructed as to allow passage of air for ventilation through at least 50% of the surface on three separate surfaces. Each container shall be equipped with a water receptacle capable of being refilled during transit. No nails, metallic projections or other sharp edges will be exposed on the interior of such containers. The maximum length of any surface of any cage, crate or container will be 60 linear inches and the minimum height of any such cage or container will be 24 linear inches. Each container will provide a maximum of 1-2/23 cubic feet, 1-9/16 cubic feet and 3½ cubic feet for small medium and large sizes monkeys contained therein, respectively. No shipping container when loaded will weigh more than 200 lbs. if made of bamboo or 245 lbs. if made of wood. Not more than 23 monkeys will be confined in a single shipping container. Arrangements will also be made to ensure that the animals are examined by a qualified veterinary doctor at the time the consignment is tendered for shipment.

(Signature of the Exporter).

N. B.—1. If the application is incomplete or defective in any respect, it is liable to be rejected summarily.

2. An applicant supplying false or incorrect information will be debarred from exporting rhesus monkeys.